1872-013 Chancery Causes: Patrick Hogan vs. Caroline Hubbard &c
Lee Co.

CA - Debt

To the Hon Henry J Morgan Judge of the County Court of Lee County

Your Orator Patrick Hogan humbly complaining respectfully represent that Caroline Hubbard and Polly Hubbard are indebted to him for services performed as counsel in a certain cause pending in the circuit court court of said county wherein Hubbard was plaintiff and the said Caroline & Polly Hubbard and others were defendants,

Your Orator states that no contract was made between him and the said Caroline and Polly Hubbard as to the amount which should be paid him - but he believes that one hundred Dollars would be a reasonable fee in the case considering its magnitude and importance - He states that they have not as yet paid him anything whatever for his said services - and that the claim which he sets forth is just and that he is entitled to and ought to recover for his services as counsel aforesaid from the said Caroline and Polly Hubbard one hundred Dollars. And and that there is present cause of action thereupon - He further states that the said Caroline and Polly Hubbard have removed from the State of Virginia but they own estate within said county and that there are debts due them from John H Baily who resides within the said County - This debt due them from the said Baily amounts to the sum of $250.00 and the sum of is now due and ~~will become~~ payable ~~on the day of~~

The object of this bill is to obtain a decree in favor of Your Orator against the said Caroline and Polly Hubbard for the claim due him and and a decree for the same against the said John S Baily to be paid by him out of the debt due from to them as before stated ‡ His prayer therefore is that the said Caroline Hubbard, Polly Hubbard and John S Baily be made defendants to this bill and answer its statements upon oath. That on a hearing a decree be rendered in accordance with the object stated and grant other and general relief, May &c. prays &c

Hogan & Pridmore

‡ And lest that the said Baily might pay the debt due from him to the said Caroline & Polly Hubbard before a decree is rendered in this cause he prays that the said debt to the extent of your orator's claim be attached in his hands and held subject to the decree of this Court.

Patrick Hogan

vs. } Bill- And foreign attachment

Caroline & Polly Hubbard

1872 Jany Bill Filed Sfa Exectd on Deft Bailey & Decree Nisi
" Feb Decree Nisi conf & Cont.
" March Continued
" April "
" May Ans of Polly & Caroline Hibbard filed & set for hearing
" June Continued
" July Decree Final

[illegible] 5.41
[illegible] 10.00
5.50
$20.91

FARMINGTON MILLS

To the Honorable Henry J. Morgan Judge of the County Court of Lee County:

The answer of Polly and Caroline Hubbard to the Bill of Complaint filed against them and John S. Bailey in the County Court of Lee County by Patrick Hagan respectfully represents that it is true the said Complainant Patrick Hagan was one of their Counsel in a Cause in Chancery lately pending in the Circuit Court of Lee County between one Elisabeth Hubbard Complainant and these respondents and others defendants but these respondents allege that no Contract was made between the plaintiff and themselves as to any specific fee for his services as their attorney but they are willing to pay him or cause him to be paid the sum of fifty dollars and the Costs of this suit as a final settlement of all claims he has against them They further admit that their Codefendant John W. Bailey is justly indebted to them in an amount much greater than the said $50.00 and the Costs of this suit and are willing in case a settlement is effected to let a decree be entered against the said John W. Bailey as their debtor for the said $50.00 and the Costs of this suit And having answered they pray that the Complainants bill be dismissed &c.

David Miller
For Respondents.

Polly & Caroline Hubbard

ads } Answer

Patrick Hagan

Filed at May Rules 1872.

Patrick Hogan Pltf
against
Caroline & Polly Hubbard col Defts } In Eq

~~Upon motion of the plaintiff this cause is ordered to be set defendants Polly and C~~

This cause Came on this day to be heard on the bill of the plaintiff the answer of the defendants Caroline & Polly Hubbard and was argued by Counsel. And the defendant John W Baily failing to appear the bill as to him is taken for Confessed. On Consideration and by Consent of the defendants Caroline & Polly Hubbard it is adjudged ordered and decreed that the plaintiff Patrick Hogan recover against the defendants Caroline and Polly Hubbard the sum of Fifty Dollars with interest from the 1st day of January 1872 and the costs of this suit And it further appearing to the Court that the defendant John W Baily is indebted to his co-defendants in a sum more than sufficient to pay the amount of this decree. it is therefore further adjudged and decreed that the said John W Baily pay to the plaintiff the amount of this decree. which sum when paid shall be a credit in his favor on the claim due from him to his co-defendants, And the Cause is stricken off the docket

Patrick Hogan
vs. } Decree - Final
Caroline & Polly Hubbard &c

Entered O. B. page 75.
James W Orr. Clerk.

Whereas Patrick Hogan has this day instituted a Suit in chancery in the County Court of Lee County Virginia against Caroline Hubbard Polly Hubbard and John S Baily whom he alleges to be their debtor, which Suit is now pending in the said Court and the said Patrick Hogan has this day made oath before me James W Orr clerk of the said Court that the claim which he the said ~~John~~ Patrick Hogan asserts in said action is Just and that he believes he is entitled to and ought to recover in the said action at least One hundred Dollars with interest from this date - that the said Caroline and Polly Hubbard are not residents of this State and affiant believes that they have estate or debts due them within the said County in which the suit is

James W Orr Clerk

~~Sworn to befor~~

P Hogan

vs. } affidavit

Caroline & P Hubbard